

Application Serial No. 09/920,361  
Amendment dated March 16, 2006  
Response to Office Action dated September 16, 2005

### **AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Figure 7. This sheet replaces the original sheet for Figure 7. In Figure 7, certain blocks have been added.

Attachment: Replacement Sheet  
Annotated Sheet Showing Changes

## **REMARKS**

### **Status of case**

Claims 1-13 and 18-23 are currently pending in this case. Applicant has canceled claims 14-17 as having been restricted to a non-elected invention.

### **Objection to the Drawings**

The Office Action stated that the drawings were objected to as failing to show features in claim 1. Applicant states that the recited limitations are found in originally filed Figure 7. Figure 7 recites “generate route list and associated data”; “Display stop information”; “enter ‘time in’ for stop”; “enter ‘time-out’ for stop”; “enter specific data for stop”; and a loop back to if the destination is not the last stop. Regardless, Applicant submits amended Figure 7. No new matter has been added by amendment.

### **Rejection under 35 U.S.C. §103**

Claims 1-13 were rejected 35 U.S.C. §103(a) as being unpatentable over Embutsu et al (U.S. Patent No. 5,960,402) in view of Hoshino et al. (U.S. Patent No. 6,073,062). The Embutsu reference teaches an information management device for managing information on waste at a waste depository. The purpose for the information management device is so that recycling products can be delivered stably. Abstract. The Embutsu reference teaches that in a recycling system, “it is important to feed certain kinds of discarded home appliances stably to the recycling facility so as to meet the demand of recycling products.” Col. 1, lines 38-41. In order to accomplish this, the Embutsu reference teaches an apparatus for “process volume determination means for determining the process volume of recycling processor based on the quality of recycling products demanded by demanding parties and means of determining the waste collection method in consideration of the determined process volume. . . .” Col. 2, lines 45-50.

The Hoshino reference teaches a management system for a vehicle. Hoshino teaches recording “the operating conditions for the vehicle, which enables management to gather accurate information regarding the work performed by a driver or crew in the moving vehicle.”

Abstract. The Hoshino reference teaches that its apparatus may promote vehicle safety and theft deterrence for the vehicle. Abstract.

In contrast to the cited references, the present invention as claimed is directed to a method and apparatus for electronically recording data for a waste route, and analyzing the electronically recorded data for profitability of the waste route. In waste hauling, it is typical for a waste hauler to lose 5% to 25% of potential gross profit in operational inefficiencies. See <http://www.linlar.com/Services1.htm>. This is a tremendous amount of inefficiency. The present invention as claimed may be used for a waste hauler to manage its services better. Specifically, the waste hauler's costs for any one or all of the time at the specific destination, the time between destinations, and the travel time to dispose of the waste collected spent may be analyzed. By using this costing analysis, the following may be accomplished:

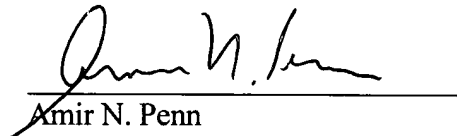
- Build tangible cost per service averages to profitably price the account services
- Identify "profit killer" customers
- Improve route technician/driver communications/relations
- Validate billing system records
- Minimize "side stop" potential
- Establish operating cost goals for the entire fleet
- Measure "route efficiency", one route at a time
- Insure proper revenue recognition for all stops serviced

Applicant strongly contends that the cited references do not render the claims obvious, either alone or in combination. As an initial matter, neither cited reference includes any disclosure, let alone any analysis, of the costs or profitability analysis as presently claimed. The Office Action states that "Embutsu teaches 'waste management' [see col 3, line 36-53]." Applicant questions the propriety of the rejection. The Embutsu reference entire focus is in trying to ensure that the recycling facilities have a stable volume of input. The Hoshino reference likewise fails to teach any sort of costing for the waste routing. Moreover, applicant has claimed a powerful combination of electronically recording waste route information for a waste route, and analysis of the electronically recorded waste route information. The combination (recording and analysis) may be used to reduce the serious problem of operational inefficiency for the waste haulers. Therefore, applicant contends that the claims as currently presented distinguish over the cited art.

### SUMMARY

Applicant respectfully requests early allowance of this application. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,

  
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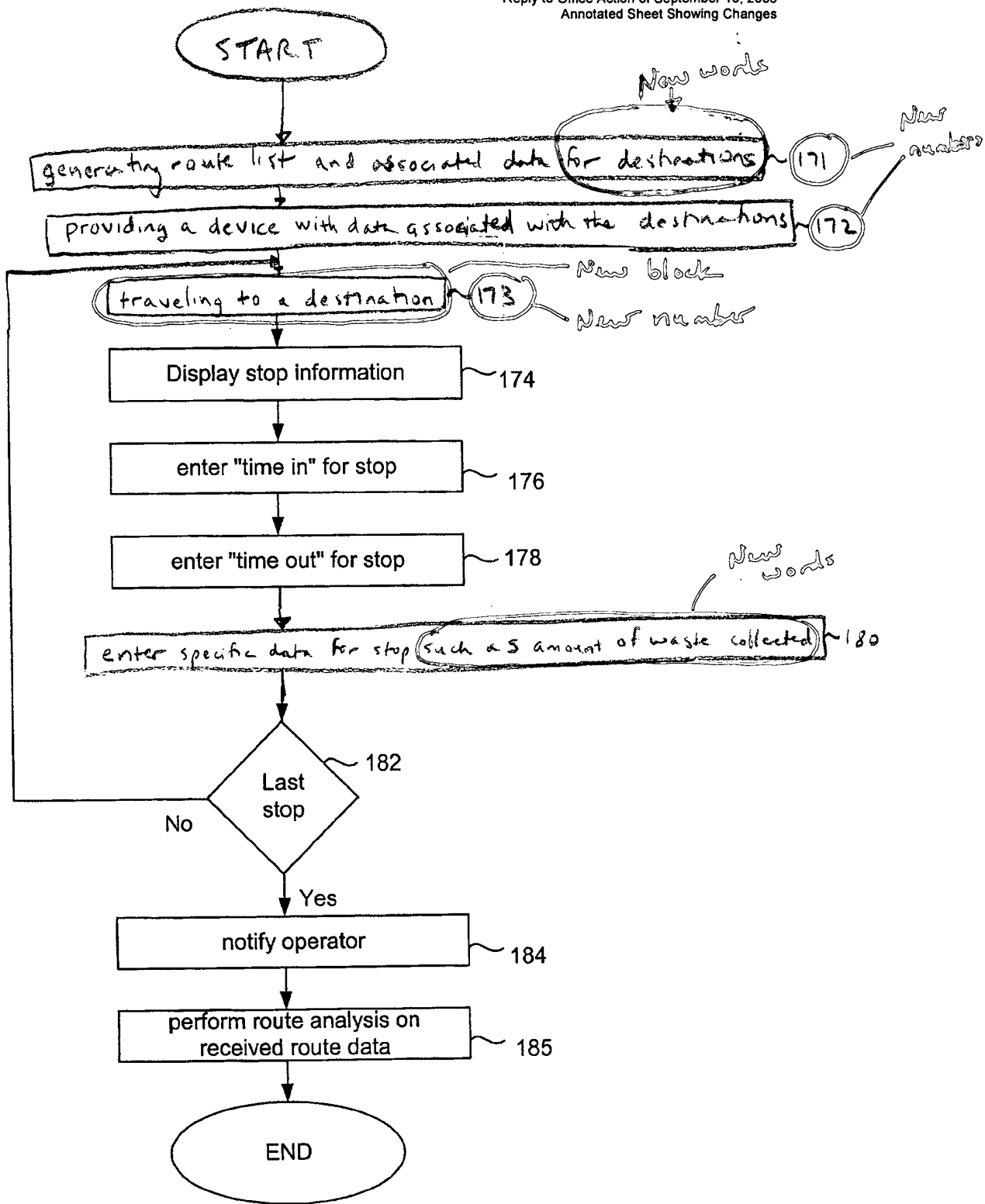


Figure 7